

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

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|---|----------------------------|
| ROBERT C. KELLER AND |) |
| FRANK RUSSO, individually and as |) |
| representative of all other persons similarly |) |
| situated, |) |
| |) |
| Plaintiffs, |) |
| |) |
| v. |) Case No. 3:07cv01098-CSC |
| |) |
| MACON COUNTY GREYHOUND |) |
| PARK, INC, d/b/a VictoryLand, |) |
| |) |
| Defendant. |) |

MOTION TO CONTINUE DEADLINES SET IN SCHEDULING ORDER
AND REQUEST FOR A STATUS CONFERENCE

COME NOW the Plaintiffs, Robert C. Keller and Frank Russo, by and through the undersigned as their counsel of record, and do hereby move this Honorable Court to continue generally all deadlines set forth in this Court's Scheduling Order of April 7, 2008 ("Scheduling Order"), and to set a status conference to reestablish new and appropriate dates, and in support thereof states as follows:

1. Subsequent to the Scheduling Order the Defendant filed a motion seeking leave of this Court to file a Third Party Complaint and add Cash Registry Systems, Inc. ("Cash Registry Systems") as a Third Party Defendant, which leave was granted allowing the Third Party Complaint, and thereby adding Cash Registry Systems as a Third Party Defendant.
2. In response, Third Party Defendant, Cash Registry Systems, filed a Motion to Dismiss/Motion to Stay Proceedings pending a ruling from the 11th Circuit Court of Appeals in the case of *Grimes v. Rave Motion Pictures*. The Court entered a

Briefing Schedule on Cash Registry Systems' Motion to Dismiss/Motion to Stay Proceedings to which the parties have not yet submitted all briefs and responses.

3. Depending on the outcome of the Court's ruling on the pending motions, the scope of discovery and the appropriate deadlines for discovery and other matters will be necessarily altered. For the sake of judicial economy and expediency, it will be in the parties' best interests to have the Court set a status conference once the Motion to Dismiss/Motion to Stay Proceedings have been ruled upon so that the issues will be more clearly defined and the parties will have a better opportunity to know of whom and to what extent discovery may be necessitated.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs request this Honorable Court to generally continue all deadlines set forth in this Court's Scheduling Order of April 7, 2008 so that they may be reestablished at a subsequent status conference. Upon a ruling of this Court on the Motion to Dismiss and a Motion to Stay proceedings filed by a Third Party Defendant Cash Registry Systems, Plaintiffs further request the Court to set a status conference to consider entering a new scheduling order and such other and further relief deemed proper.

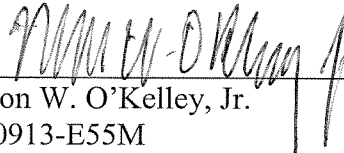
Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of August, 2008, a true and correct copy of the foregoing was placed in the United States Mail for the following counsel of record:

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